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5/5/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:

MOYER, Elizabeth, et al.

Application No.: 09/393,590

Filed: 09/09/99

For: STABLE LIQUID FORMULATIONS  
OF BOTULINUM TOXIN

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)  
) Examiner: Devi, S.  
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) Group No.: 1645  
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Certificate of Mailing (37 C.F.R. § 1.8(a)):

I hereby certify that this correspondence and the documents referred to as attached therein are being deposited with the United States Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C., 20231.

Date:

20 APR 01

By:

J. Mark Hall

Assistant Commissioner for Patents  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT TRANSMITTAL

Dear Sir:

1. Transmitted herewith is:

- ☒ Information Disclosure Statement
- ☒ PTO Form 1449
- ☒ Copies of publications listed on the PTO Form 1449
- ☐ English translation of foreign language reference(s)
- ☐ No copies of publications listed on the PTO Form 1449 are being provided as this application claims continuation status to application Serial No. \_\_\_\_\_ and copies of the listed publications were provided in the parent application.
- ☒ Copy of foreign examination report
- ☐ English translation of foreign examination report

2. ☐ This Information Disclosure Statement is filed before the later of:
- ☐ three months from the filing date of this national application;
  - ☐ three months from the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; or
  - ☐ the mailing date of a first office action on the merits.

In accordance with 37 CFR 1.97(b), no fee is required.

3. ☒ This Information Disclosure Statement is filed after the events noted in paragraph 2, but before either:
- ☒ Final action under 37 CFR 1.113, or
  - ☐ Notice of Allowance under 37 CFR 1.311.

In accordance with 37 CFR 1.97(c) also enclosed is:

- ☒ Fee under 37 CFR 1.17(p) in the amount of \$240.00; or
- ☐ Statement as stated below.

4. ☐ This Information Disclosure Statement is filed before the payment of the issue fee, but after either:
- ☐ Final action under 37 CFR 1.113, or
  - ☐ Notice of Allowance under 37 CFR 1.311.

In accordance with 37 CFR 1.97(d) also enclosed is:

- ☐ Statement as specified in 37 CFR 1.97(e)
- ☐ Petition requesting consideration of the Information Disclosure Statement; and
- ☐ The petition fee set forth in 37 CFR 1.17(I) in the amount of \$130.00.

5. Statement. The undersigned states:

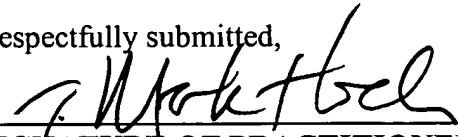
- ☐ Each item of information contained in the Information Disclosure Statement cited herein was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing date of this Information Disclosure Statement; or
- ☐ No item of information contained in the Information Disclosure Statement submitted herewith was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing date of this Information Disclosure Statement.

6. Fees

- ☐ Check in the amount of \$ \_\_\_\_\_ is attached.  
☒ Please charge Deposit Account No. 01-2707 in the amount of \$240.00.  
☐ No fee is required.  
☒ The Commissioner is hereby authorized to charge any underpayment or credit any overpayment of the following fees associated with this communication to Deposit Account No. 01-2707:  
☒ Any patent application processing fees under 37 CFR 1.17.

Date: 20 APR 01

Respectfully submitted,

  
**SIGNATURE OF PRACTITIONER**

J. Mark Hoch

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